



1 UNITED STATES BANKRUPTCY COURT
2 DISTRICT OF NEW JERSEY

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Order Filed on December 12, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

NANA OPOKU-WARE, DEBTOR(S)

Case No.: 19-25519 JKS

Adv. No.:

Hearing Date:

Judge: John K. Sherwood, U.S.B.J.

14 ORDER AUTHORIZING SALE OF REAL PROPERTY

15 The relief set forth on the following pages, two (2) through four (4)
16 is hereby **ORDERED**.

22 DATED: December 12, 2024

23 Honorable John K. Sherwood
24 United States Bankruptcy Court

A handwritten signature in black ink, appearing to read "JK Sherwood".

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2 Debtor: Nana Opoku-Ware, Debtor(s)

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4 Caption of order: Order Authorizing Sale of Real Property

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12 Debtor, Nana Opoku-Ware, by and through his counsel, Raymond & Raymond, Esqs., Herbert B. Raymond, Esq., Record Counsel, Kevin L. Delyon, Esq. (Appearing, if applicable), having filed a Motion To Sell Real Property, and the Motion having been served on all Parties, Consistent with the Order Shortening Time for Notice and Hearing Pertaining to this Motion, and no objection to the Notice of Motion For Authorization to Sell, having been filed, and/or all objections to the Motion, having been resolved or withdrawn and/or for good cause having been shown, **IT IS HEREBY ORDERED:**

13 1. The Debtor is authorized to sell Real Property, located at 30 Clinton Place, Newark, New Jersey 07108, upon the terms and conditions of the real estate sale contract and/or addendum(s) and/or supplement(s), filed as an exhibit, in support of the motion, pursuant to 11 U.S.C. Sections 363(b) and 1303.

18 2. The sale proceeds must be applied to satisfy the lien against the real property, paying the mortgage, held by Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Hilldale Trust, serviced by Selene Finance, LP ('Selene'), in full, at closing, pursuant to payoff statement/quote, provided by the lender(s) before closing.

24 b. Any other ordinary course, outstanding statutory or municipal obligations, pertaining to the property, including, but not limited to real estate taxes/tax liens, garbage charges and/or water/sewer charges and/or water/sewer liens, must be paid, in full, at closing, pursuant to redemption statements

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2 Debtor: Nana Opoku-Ware, Debtor(s)

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6 provided by the municipality.

7 c. Judgments against the property and/or the Debtor,
8 unless satisfied or avoided, must be paid in full, per judgment
9 payoff, at closing.

10 3. Francis J. Leddy, Jr., Esq., proposed Real Estate Counsel
11 to the Debtor, is to be paid at closing, consistent with the
12 retention application to be filed, upon entry of the real estate
13 counsel retention order.

14 4. Realty One Group Legend, proposed Real Estate Broker to
15 the Debtor, is to be paid four (4%) percent of the contract
16 price, at closing, consistent with the retention application to
17 be filed, upon entry of the real estate broker retention order.

18 5. Other ordinary course closing fees and costs, must be
19 satisfied from the sale proceeds.

20 6. Remaining sale proceeds, are to be remitted to bankruptcy
21 counsel, Raymond & Raymond, Esqs., Herbert B. Raymond, Esq.,
22 Record Counsel, payable to Raymond & Raymond, Esqs., Attorney
23 Trust Account, to address post-petition mortgage arrears
24 pertaining to the Elizabeth residential property and plan
25 obligations.

26 7. A copy of the signed settlement statement, must be
27 provided, to Debtor's bankruptcy counsel, to be provided to the
28 Chapter 13 Trustee, through Debtor's counsel, within fourteen

Debtor: Nana Opoku-Ware, Debtor(s)

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4 (14) days of closing.

5 8. Other provisions:

6 a. The Debtor reserves the right to challenge any payoff
7 statement, quote, letter, etc. Paying off any obligation, at
8 closing, does not preclude the Debtor from later challenging the
9 amount due and owing as to any obligation. Paying off any
10 closing obligation, including but not limited to any lien,
11 judgment, mortgage or statutory obligation, does not prejudice or
12 preclude the Debtor from later challenging the amount due.

13 b. The fourteen (14) day stay provided by Bankruptcy Rule
14 6004(h) be and is hereby waived. The sale may proceed
15 immediately.

16 9. The Order shall be deemed void, if the sale is not
17 completed, within one hundred and twenty (120) days from entry of
18 this order.

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